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In Quest of “Full and Unconditional Sovereignty”: Hans-Dietrich Genscher and the Issue of a Unified Germany’s Full Membership in NATO

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Abstract

In the process of German unification 1989/1990 two critical and interrelated questions arose: sovereignty of a unified Germany and its security status. This article examines how the Federal Republic of Germany (FRG) could get Soviet consent to a unified Germany’s full membership in NATO and acquire “full sovereignty”. Using newly available diplomatic sources, the author tries to reevaluate the role of Hans-Dietrich Genscher, Foreign Minister of the FRG, which has not been paid much attention in previous studies. This article stresses three points about Genscher’s contributions in this process: first, referring to the Helsinki Final Act of 1975, Genscher emphasized that Germany should have the right to decide whether to be a full membership of NATO. Second, he promoted the transformation of NATO through the “Message from Turnberry” of June 1990 which was drafted by the West German Foreign Office. Third, Genscher made an effort to build a relationship of profound trust with the Soviets, especially through numerous talks with Shevardnadze.

Introduction

From "restricted sovereignty" to "full sovereignty"

On September 12, 1990, the Federal Republic of Germany (FRG), commonly known as West Germany, the German Democratic Republic (GDR), commonly known as East Germany, and the four victors of World War II (the United States, the United Kingdom, France and the Soviet Union) signed the Treaty on the Final Settlement with Respect to Germany, or the Two Plus Four Agreement. On March 15, 1991, the Two Plus Four Agreement went into force with all the signatories completing their ratification of it, which accorded the FRG "full sovereignty."⁽¹⁾ (On October 3, 1990, Germany was reunified with the FRG merging the GDR.)

This means that it took even almost half a century until Germany with "full sovereignty" appeared again after the German Empire (the Third Reich) was stripped of its sovereignty because of its unconditional surrender on May 8, 1945. As widely known, Germany was divided into eastern and western blocs in the midst of the Cold War after it was occupied by the four victors of World War II. The FRG abolished the Occupation Statute of Germany by what is called the Bonn and Paris Agreements, which went into effect on May 5, 1955, and restored its virtual sovereignty alongside its accession to the North Atlantic Treaty Organization (NATO). Meanwhile, the GDR also joined the Warsaw Treaty Organization by the Warsaw Pact, which was created on May 14, 1955, and by another pact on relations with the Soviet Union, which was established on September 20 the same year, and officially declared that it had acquired sovereignty. It was "restricted sovereignty," however, that the two countries acquired at the time (Küstners 2005: 3 f.). That is, the rights concerning Germany as a whole (*Deutschland als Ganzes*) and Berlin were reserved by the victors for both the FRG and the GDR.⁽²⁾

(1) The term *full sovereignty* is specified in Section 2 of Article 7 of the Treaty. *Bundesgesetzblatt* Teil II, 1990, Nr. 38 vom 13. Oktober 1990, pp. 1317-1329, here p. 1324 f.

“The Rights and Responsibilities of the Four Powers Concerning Germany as a Whole and Berlin” were grounded in the Potsdam Agreement, signed on August 2, 1945, which was confirmed afresh when both the FRG and the GDR “restored their sovereignty.”⁽³⁾

It was the process of German reunification of 1989/90 that ultimately resolved “the Rights and Responsibilities of the Four Powers” and the “restricted sovereignty” of both the FRG and the GDR (that is, the disappearance of the GDR and the FRG’s acquisition of “full sovereignty”).

Based on this recognition, this paper seeks to examine how Germany acquired “full sovereignty” in the process of German reunification. In this context, the paper focuses on the issue of reunified Germany’s accession to NATO, which was closely associated with the country’s acquisition of sovereignty and also was an obstacle to it.

The issue of reunified Germany’s accession to NATO

In the fall of 1989, East German citizens chanted, “We are the people (*das Volk*),” appealing for the popular sovereignty. After November 9 when the Berlin Wall fell, they chanted, “We are one people (*ein Volk*),” demanded national self-determination to the international community. In these circumstances, West German Chancellor Helmut Kohl announced a 10-point plan for German reunification. The western allies excluding the United States hesitated to approve German reunification, but they finally found it impossible to resist the German demand for the right to self-determination. Even the Soviet Union, which was the biggest obstacle,

(2) Refer to Geiger 2018: 48-63 for the statuses of both the FRG and the GDR in terms of international law.

(3) On the one hand, “the Rights and Responsibilities of the Four Powers” restricted the sovereignty of both the FRG and the GDR; on the other hand, they legally guaranteed the existence of “Germany as a whole.” They were necessary to secure the path to German reunification. Tetsuji Senoo clarified how much Ostpolitik promoted by the FRG’s Willy Brandt administration worked to secure “The Four Victors’ Rights and Responsibilities” as well (Senoo 2011).

accepted German reunification in February 1990. The victory of the "Alliance For Germany" in the East German general elections on March 18 cemented the process of absorbing the GDR into the FRG.⁽⁴⁾

However, it was still to be seen in the spring of 1990 whether reunified Germany would acquire "full sovereignty." When West German government obtained consent on German reunification from Soviet President Mikhail Gorbachev in February 1990, Horst Teltschik, at that time Kohl's foreign policy advisor, declared that Kohl had picked up "the key to German reunification" in Moscow. But after citing Teltschik's remark, the German newsmagazine *Der Spiegel* asked, "Is it also the key to full sovereignty? Or is it just the key to reunification?"⁽⁵⁾

Whether reunified Germany would be able to acquire "full sovereignty" or not depended on how "the foreign aspects of Germany reunification" will be prescribed. It was determined during the "Open Skies" negotiation, which was held in Ottawa in February 1990 that this issue would be negotiated within the Two Plus Four framework of the FRG, the GDR and the Four Powers. Working-level negotiations started in March the same year and the first Two Plus Four meeting was held at the level of foreign ministers on May 5. It also depended on the results of the Two Plus Four negotiations whether Germany would be able to acquire "full sovereignty" or not.

The West German Foreign Office had definite negotiation goals: To resolve "the Rights and Responsibilities of the Four Powers," avoiding a peace treaty that would cause reparation issues, and to establish "unrestricted sovereignty" for Germany; to allow reunified Germany to join NATO at the same time and to withdraw the Soviet troops from the former East Germany's territory; and to prevent Germany from being given a "special status" and discriminatory treatment (Kiessler / Elbe

(4) Rödter 2009 is the best complete history of the process of German reunification. Takahashi 1999 is still the best history of German reunification written in Japanese.

(5) "Wendemarke der Geschichte?" *Der Spiegel*, Heft 20/1990 (14. Mai 1990), pp. 18-25, here p. 18.

1993: 106-118).⁽⁶⁾

All these issues were concerned with the sovereignty of reunified Germany and were related with each other. Above all, the issue of reunified Germany's accession to NATO was a difficult problem. As the then West German Foreign Minister Hans-Dietrich Genscher's right-hand man Frank Elbe said, this problem "would determine the fate of all the other issues" (ibid.: 138).

Of course, the biggest challenge in this context was how to persuade the Soviet Union to approve reunified Germany's accession to NATO. It was too much of a burden for the Two Plus Four framework. Therefore, bilateral negotiations alongside the Two Plus Four negotiations were necessary to solve this issue. In the end, the principal decisions were taken bilaterally between Washington, Bonn and Moscow under the "One-versus-Two" structure with Washington and Bonn asking for reunified Germany's accession to NATO and Moscow resisting the campaign (Rödder 2017: 57).

A lot of attention has been paid to the issue of reunified Germany's accession to NATO because it significantly defined the European international order after the Cold War. Among others, there are a variety of discussions about why and when the Soviet Union finally approved reunified Germany's accession to NATO. The space limitations in this paper preclude going deeply into the details of preceding studies, but existing studies note West Germany's economic support for the Soviet Union, the change in the nature of NATO and the Soviet Union's internal political affairs as the Soviet's approval of reunified Germany's accession to NATO. In addition, people often think of the US-Soviet summit on May 31, 1990, NATO's declaration in London on July 6 and the German-Soviet summit on July 15 and 16 as important turning points.⁽⁷⁾

(6) Germany had another important challenge of resolving the border issue with Poland, but this paper does not go deeply into this issue.

(7) Because West German Chancellery documents (*DzD-DE*) were published as early as 1998, many studies put importance on Kohl-led economic support for the Soviet Union and regarded the German-Soviet summit in July 1990 as

In any case, preceding studies tends to seek to attribute an agreement on reunified Germany's accession to NATO to single or "decisive" factors and a turning point. This paper does not deny those studies. But this paper temporarily distances itself from those studies and attempts to describe an agreement on reunified Germany's accession to NATO as one of the results of the FRG's patient diplomacy that sought to acquire "full sovereignty." In this context, based on the FRG's Foreign Office materials that were disclosed in recent years as central materials,⁽⁸⁾ this paper pays a particular focus of attention to the contributions of Foreign Minister Hans-Dietrich Genscher, which tended to be neglected in existing studies.⁽⁹⁾

Progress through the US-Soviet summit: the Helsinki Final Act as leverage

Washington, May 17

As mentioned above, even the Soviet Union approved German

the "moment of breakthrough." (I referred to Spohr 2000 and Rödder 2002 as instructive review papers.) However, studies in recent years have tended to put importance on US-Soviet relations or the Soviet's internal political affairs. For example, in his latest study Rödder argues that "finances were a substantial but not the decisive factor" and put emphasis on the Soviet's domestic factors, especially "a lack of viable alternatives" and "Gorbachev's lack of negotiation skills" (Rödder 2017: 57). I also referred to Bozo et al. 2017 and Gehler / Graf 2017 as a collection of latest papers on international politics over German reunification.

- (8) I made intensive use of materials on the relations between West Germany and the Soviet Union (*Diplomatie*), which were published in 2011, and materials on the process of the Two Plus Four Agreement (*Die Einheit*), which were published in 2015, and also made complementary use of unpublished materials in the collection of PAAA.
- (9) Ritter 2013 is a precious study that attempted to trace the role of Genscher diplomacy in the process of German reunification. However, Ritter's work, unlike the impression its title gives, is much of a general history of German reunification based on newly released materials on related countries. Ritter's work itself is a good achievement, but it is difficult to say that his work succeeded in evaluating Genscher diplomacy.

reunification in mid-February 1990, which cemented the framework of the Two Plus Four negotiations. Between late February and March, the United States and the FRG government (there was a conflict between the Chancellery and the Foreign Office) also agreed on the idea that reunified Germany as a whole should be part of NATO. Starting from around May 5, when the first Two Plus Four foreign ministers' meeting began, the debate on reunified Germany's accession to NATO got heated. It is also worthy of attention that Gorbachev's position in the Soviet Union was significantly undermined by Lithuania, which announced a declaration of independence on March 11, rejection of reforms by the conservatives and pressure from the radicals.

In this situation, the governments concerned made animated diplomatic moves ahead of the US-Soviet summit that was scheduled to be held in Washington and Camp David from late May to early June.

Particularly noticeable was the talks held in Washington on May 17, 1990 between West German delegates, including Kohl and Genscher, and US delegates. In the latter half of the talks, Kohl requested that US President George Bush mention the Two Plus Four process in his talks with Gorbachev and urge him to end the process without delay. Following this, Genscher mentioned the issue of resolving "the Rights and Responsibilities of the Four Powers" on the Two Plus Four's negotiation agenda and claimed, "Our objective is to restore Germany's full sovereignty." At the time, Genscher stressed the presence of stipulations included in Article I "Sovereign equality, respect for the rights inherent in sovereignty" of Basket 1 of CSCE Helsinki Final Act of 1975, which declared that any state has the right to be or not to be part of an alliance. According to Genscher, when he signed the Helsinki Final Act, the right not to be part of an alliance mattered to reject the Brezhnev Doctrine. However, now the right to be part of an alliance was "of critical importance" to Germany.⁽¹⁰⁾

(10) Delegationsgespräch des Bundeskanzlers Kohl mit Präsident Bush in Washington, 17. Mai 1990, in: *DzD-DE*, Dok. 281, pp. 1126-1132, here p. 1130.

This stipulation of the Helsinki Final Act, which Genscher emphasized, was used effectively in the ensuing negotiations.

Moscow, May 18

Side by side with these German-US talks, US Secretary of State James Baker met with Gorbachev in Moscow on May 18. During the talks, Baker presented "nine points" considering the Soviet Unions' security concerns so that reunified Germany could join NATO (Zelikow / Rice 1995: 263 f.).

But Gorbachev opposed reunified Germany's accession to NATO. In contrast, Baker claimed that they could not force Germany to be neutral on the grounds of the Four Powers' Rights and insisted that the Helsinki Final Act guaranteed any country the right to join an alliance (as well as the above-mentioned Genscher proposal). Baker warned that if Germany is not given the freedom to choose an alliance, it would have "dissatisfaction and hostility," which would "sow the seeds of instability in the future."⁽¹¹⁾

Gorbachev opposed reunified Germany's accession to NATO, claiming that it would bring about "a change in the strategic balance of Europe and the whole world." Gorbachev said that reunified Germany's accession to NATO was reminiscent of the misfortune the Soviet Union suffered from Germany during the Second World War, especially "the 27 million Soviets who were killed in the war," and concluded that it was "extremely difficult" to approve reunified Germany's accession to NATO.⁽¹²⁾

Geneva, May 23

Genscher gained accurate information about the talks between Baker and Gorbachev via Robert Zoellick, an aide to Baker.⁽¹³⁾ Based on that

(11) Gespräch Gorbačëvs mit dem amerikanischen Außenminister Baker am 18. Mai 1990, in: *MGdF-SD*, Dok. 91, pp. 406-413, here p. 411.

(12) *Ibid.*, p. 412 f.

(13) Vermerk des Leiters des Ministerbüros, Elbe, für Bundesminister Gen-

information, Genscher had a three-hour talk with Soviet Foreign Minister Eduard Shevardnadze in Geneva on May 23. Because Kohl had approved 5 billion DM of loan to Gorbachev in a letter the day before the talks,⁽¹⁴⁾ the negotiations ran smoothly in a friendly atmosphere.

In this talk, Shevardnadze gave a detailed account of Soviet “principles” about German reunification. In particular, Shevardnadze proposed an upper limit of “200,000 to 250,000” for the military power of reunified Germany and claimed that Germany must achieve that within three years after reunification. In addition, Shevardnadze requested Germany to approve the legitimacy of the measures taken by the four victors (nationalization of property by the Soviet in particular), to prepare for compensation for forced laborers, to guarantee that Nazi ideologies and movements would not revive and to protect the grounds where the war dead were buried and war memorials.⁽¹⁵⁾

In addition, Shevardnadze demanded that “a transition period” be set to realize the foreign aspect of reunification and that the period be “within about five years” after the establishment of reunified German parliament and government. Even if Germany was reunified internally during this transition period, the eastern half (the GDR) would remain within the Warsaw Treaty Organization and the western half (the FRG) would remain within NATO. Moreover, “the Rights and Responsibilities of the Four Powers” would not be resolved during the transition period and the four victors’ military would continue to be stationed in reunified Germany.

Regarding issues concerning reunified Germany’s security status,

scher, 23. Mai 1990, in: *Die Einheit*, Dok. 101, pp. 504-507.

(14) Cf. Aufzeichnung des Dolmetschers Scheel vom 24. Mai 1990 über das zweite Vier-Augen-Gespräch von Bundesaußenminister Genscher mit dem sowjetischen Außenminister Ševardnadze am 23. Mai 1990 in Genf, in: *Diplomatie*, Dok. 31, pp. 162-164.

(15) Vermerk von Dg 21, Hôynck, vom 25. Mai 1990 über das Gespräch von Bundesaußenminister Genscher mit dem sowjetischen Außenminister Ševardnadze am 23. Mai 1990 in Genf, in: *Diplomatie*, Dok. 30, pp. 147-162, here p. 153.

Shevardnadze presented a series of "hypothetical options," such as withdrawal from both NATO and the Warsaw Treaty Organization and neutrality, withdrawal from the two alliances in connection with starting to prepare for a pan-European security structure, a simultaneous dissolution of both alliances in relation to shaping a pan-European security structure, and an agreement between the two alliances based on an agreement on partnership and cooperation. In any case, Shevardnadze declared as follows: "It is difficult both psychologically and politically for Gorbachev and me to allow reunified Germany to join NATO. The issues of the political and military status of reunified Germany are the most important of all issues. The Soviets will not agree on any concession in this domain."⁽¹⁶⁾

Lastly, Shevardnadze said that he "had never given anyone a more accurate account of the Soviet Union's opinions about reunification process" and also said that he would continue to have dialogue with Genscher to find points of compromise together. In addition, Shevardnadze explained that his remarks "probably appeared too tough" because the Soviet now faced "a wide range of issues and objections" and that he had no intention to close the path to German reunification with the hope that "the Soviet's interests and issues" would also be considered.⁽¹⁷⁾

In response to Shevardnadze's detailed account mentioned above, Genscher also gave an open response. Regarding the issue of the upper limit of German military power, Genscher stated that disarmament should be promoted for the whole of Europe and that it was wrong to give "discriminatory treatment" to German only. Genscher also rejected the idea of "transition period." Regarding the issue of alliance, Genscher said that it "must not be decided in a way that brings things back to the Cold War" and raised three questions. First, if reunified Germany has an equal right to other countries, is it guaranteed the right to join the alliance according to the Helsinki Final Act? Second, Germany hopes to

(16) *Ibid.*, p. 154.

(17) *Ibid.*

contribute to stabilizing Europe, which does not mean a change of power relations. Fundamentally speaking, is it possible now to speak about a change of power relations between the East and the West? Third, who can remove the experience of World War II and the feelings of the Soviets? Based on this recognition, Genscher announced NATO's "strategy, self-understanding and reexamination of its purposes" and said that the NATO summit of July would open a positive perspective.⁽¹⁸⁾

Washington, May 31

Based on these above-mentioned talks, the US-Soviet summit was held in Washington and Camp David from May 30 to June 3. The issue of reunified Germany's accession to NATO was discussed at the general meeting on May 31.⁽¹⁹⁾ There was a conflict of opinions at the beginning, but when Bush mentioned the right to choose an alliance in the Helsinki Final Act, Bush and Gorbachev had the following dramatic conversations (the quotes are from the proceedings from the Soviet side):

Bush: "Every sovereign nation has the right to choose an alliance. If the FRG government does not wish to remain within NATO—this is purely a hypothetical question—we will accept that choice."

Gorbachev: "We can express as follows: The US and the Soviet agree to which alliance reunified Germany decide to join on its own after reaching the final stipulation considering the results of World War II."

Bush: "I propose a slightly altered expression. The United States fully support reunified Germany's accession to NATO. But if Germany makes a different choice, we will not object to it and will respect the choice."

(18) Ibid., p. 156-160.

(19) Bush had a telephone talk with Kohl before the summit and promised that he would tell Gorbachev "the need to terminate Four Power rights at the time of unification, with no new constraints on German sovereignty." Memorandum of telephone conversation Bush-Kohl, May 30, 1990, in: GBPL. < <http://bush41library.tamu.edu/files/memcons-telcons/1990-05-30-Kohl.pdf> > .

Gorbachev: "All right. I accept your expression."⁽²⁰⁾

These conversations surprised the US participants and bewildered Soviet delegates. At a joint press conference on June 3 as well, Gorbachev did not agree to Bush's opinion that "reunified Germany must be a full member of NATO." But it was announced that both Bush and Gorbachev "agreed that the issue of reunified Germany's accession to NATO must be determined by the Germans themselves according to the Helsinki Final Act."⁽²¹⁾

As noted above, the US-Soviet summit on May 3 turned out to be an epoch-making one, but Kohl's response was slow and insensitive. On June 1, Bush made a phone call to Kohl and told him that Gorbachev agreed to a certain extent that it was the Germans themselves that should decide if Germany would become a full member of NATO. Bush also said that the transformation of NATO was a key factor and that the next NATO summit would be "vitaly important." It was economic assistance, however, that Kohl paid attention to. Thinking that Kohl did not understand what Gorbachev's concession meant, Bush asked frankly, "You have no problem saying that Germany, under Helsinki, has the right to belong to NATO or not belong?" Kohl agreed to this, but went on to say, "George, I do think the economic side is more important." Bush interrupted Kohl and emphasized again that Gorbachev had approved Germany's right to choose an alliance. But Kohl still stuck to the issue of economic assistance. Clearly, Kohl did not understand the point at this point in time.⁽²²⁾

(20) Gespräch Gorbačevs mit US-Präsident Bush am 31. Mai 1990, in: *MGdF-SD*, Dok. 96, pp. 432-442, here p. 441.

(21) *DzD-DE*, p. 1178 f., note 5.

(22) Memorandum of telephone conversation Bush-Kohl, June 1, 1990, in: GBPL. <<https://bush41library.tamu.edu/files/memcons-telcons/1990-06-01-Kohl.pdf>> . Cf. Zelikow / Rice 1995: 280. In addition, on June 4 Bush sent Kohl a letter on the results of the US-Soviet summit. In this letter, Bush said that nobody objected to his statement at a press conference that "(1) they had reached the agreement that the issue of Germany's joining an alliance should be decided by the Germans according to the Helsinki Final Act" as "a step

In addition, it was true that Gorbachev's remarks approved Germany's freedom to choose an alliance. But Gorbachev's remarks accepted Germany's right to choose an alliance after its reunification, and it was clear that Gorbachev's remarks were premised on the "transition period." That is, Germany could not have full sovereignty during the transition period and would be left without the freedom to choose an alliance.

As noted above, it can be said that the US-Soviet summit certainly signaled a step forward, but was not a complete "breakthrough." According to Gerhard A. Ritter, the West German Foreign Ministry also analyzed that the US-Soviet summit confirmed a "tailwind" to German reunification but failed to attain an "anticipated breakthrough" and that recognized the necessity of further persuading the Soviet Union (Ritter 2013: 136). And Foreign Minister Genscher was expected to attain a breakthrough in this context.

Genscher's effort

Turnberry, June 8

Genscher and Shevardnadze had an hour-meeting at the CSCE Meeting on Human Rights on June 5, 1990. During this meeting, Shevardnadze recognized Germany's right to choose an alliance according the Helsinki Final Act as Gorbachev said at the previous US-Soviet summit, but mentioned in the terms of the Potsdam Agreement that "the future of Germany was in the hands of the four victors."⁽²³⁾ Shevardnadze put

forward." Bush also wrote that (2) the more they considered "the Soviet's security interests, the more likely they were to get Gorbachev to accept reunified Germany as a full member of NATO." But Kohl underlined only the second part. At this point in time as well, Kohl still did not recognize the importance of Germany's right to choose an alliance. Cited in: Fernschreiben des Präsidenten Bush an Bundeskanzler Kohl, 4. Juni 1990, in: *DzD-DE*, Dok. 299, pp. 1178-1180, here p. 1178 f.

- (23) Ungezeichneter Vermerk des Dg 21, [Höynck], vom 7. Juni 1990 über das Gespräch von Bundesaußenminister Genscher mit dem sowjetischen Außenminister Ševardnadze am 7. Juni 1990 in Kopenhagen, in: *Diplomatie*, Dok. 32, pp. 164-168, here p. 166.

importance on the "transition period" again. However, it was noticeable that Shevardnadze repeatedly mentioned the importance of "the transformation of both alliances" or "a new relationship between both alliances."

In addition, the representative of CDU/CSU delegations and Vadim Zagladin, an advisor to Gorbachev, had had a meeting in Moscow the day before. Zagladin expressed a clear-cut point of view: "The whole of Germany in the future is sovereign. Therefore, Germany must have the freedom to choose an alliance. The transition stipulation is particularly important in this context and the Soviet needs security during that period. The proposal of aligning Germany with NATO is extreme, but it is also extreme to totally reject the proposal. What is necessary now is to find a compromise that can be supported between these extremes. [...] The Soviet reservation is directed toward NATO as it is now. If NATO changes by itself, the Soviet will also show a different attitude."⁽²⁴⁾ It was clear that the transformation of NATO was important.

The West German Foreign Ministry tried to respond to this signal from the Soviet. They set the stage at the NATO Foreign Ministers' Meeting in Turnberry, Scotland, on June 7 and 8. The Warsaw Treaty Organization had already agreed to overcome an "ideological enemy image" at the Political Consultative Committee Meeting in Moscow on June 6 and 7. They declared that "Confrontation elements contained in documents of the Warsaw Treaty and the North Atlantic Treaty Organization, that were adopted in the past, are no longer in line with the spirit of the time."⁽²⁵⁾

To respond to this move, the NATO Foreign Ministers' Meeting

(24) Fernschreiben der Botschaft Moskau vom 7. Juli 1990 über Gespräche des Verteidigungspolitischen Mitarbeiters der CDU-CSU-Fraktion mit dem Berater Gorbačevs, Zagladin, in Moskau, in: *Diplomatie*, Dok. 33, pp. 168-170, here p. 169.

(25) Erklärung der Mitgliedstaaten der Warschauer Vertragsorganisation, verabschiedet auf der Tagung des Politischen Beratenden Ausschusses am 7. Juni 1990 in Moskau, in: *DV*, Dok. 37, pp. 224-225, here p. 224.

announced “A Message from Turnberry” on June 8. This message aims to “build a new peaceful order in Europe, based on freedom, justice and democracy” and expressed the will to “extend to the Soviet Union and to all other European countries the hand of friendship and cooperation” and to “contribute actively to building confidence and closer relations between all European countries, including the members of the two alliances.” The message also declared, “We are convinced that German unification is a major contribution to stability in Europe.”⁽²⁶⁾

Preceding studies tend to emphasize the importance of the NATO London Declaration in July. But this message from Turnberry is as important as the London Declaration. This message was not based on a conventional communique style but on a document drawn up by Dieter Kastrup, the Political Bureau Chief of the West German Foreign Ministry. Genscher and Baker teamed up with each other to push it forward (Kießler / Elbe 1993: 153 f.).

The West German Foreign Ministry thought that the NATO summit to be held in July would be too late to send a signal to the Soviet leadership who would attend the 28th Communist Party Congress, which would start on July 2. Thus, the West German Foreign Ministry sent a message for the transformation of NATO from Turnberry, if in a pushy way. It was a “critical shot in West German diplomacy” (ibid.: 154).

At a press conference after the meeting, Genscher confirmed that reunified Germany would become a full member of NATO and that “the force of NATO would not be stationed in the current territory of the GDR,” and stressed the importance of “both alliances and member states stopping thinking of each other with hostility.”⁽²⁷⁾

(26) Botschaft von Turnberry, verabschiedet von der Ministertagung des Nordatlantikrats am 8. Juni 1990 in Turnberry, in: *DV*, Dok. 38, pp. 225-226.

(27) Pressekonferenz des Bundesministers Genscher nach der NATO-Ministertagung in Turnberry/Scotland, 8. Juni 1990, in: *Die Einheit*, Dok. 109, pp. 545-549, here p. 548.

Brest, June 11

Genscher and Shevardnadze had a meeting in Brest on June 11. Brest was the fateful place where the German Empire and the Bolsheviks concluded a peace treaty in March 1918 and where Germany and the Soviet Union had a joint military parade in late September 1939. Brest was also a place where Shevardnadze's elder brother was killed in a war in June 1941 and was buried. The meeting lasted for five hours. After the meeting, the two foreign ministers visited the grave of Shevardnadze's brother and placed flowers. The scene was broadcast on Soviet television, which emphasized to the Soviets that Shevardnadze remembered the tragedy of the German-Soviet battle even in his negotiation with Germany (Kiessler / Elbe 1993: 155 f.).

At the beginning of the meeting, Shevardnadze mentioned the issue of Germany's accession to an alliance and showed options, such as reunified Germany's withdrawal from both alliances or "at least withdrawal from both alliances' military organizations" or "the possibility of partnership membership" and "simultaneous accession to both alliances." In any case, Shevardnadze's focus was on the transformation of the nature of military alliances. It was the above-mentioned Warsaw Treaty Organization's declaration of June 7 that Shevardnadze emphasized in this context. The Warsaw Treaty Organization "transformed itself into a political alliance." Shevardnadze said, "If the NATO side takes a step toward that direction, a whole new situation will emerge in Europe."⁽²⁸⁾ In response to this move, Genscher mentioned the message from Turnberry on June 8 and said that the NATO would issue a declaration responding to the new situation at the NATO summit in July.⁽²⁹⁾

On the one hand, Shevardnadze continued to stick to an "about five-year transition period." He claimed that the Rights and Responsibilities of

(28) Vermerk des Dg 21, Höynck, vom 12. Juni 1990 über das Gespräch von Bundesaußenminister Genscher mit dem sowjetischen Außenminister Ševardnadze am 11. Juni 1990 in Brest, in: *Diplomatie*, Dok. 35, pp. 172-188, here p. 175.

(29) *Ibid.*, p. 179.

the Four Powers should last during the “transition period” to clarify the legal status of the period when the Soviet military would be continuously stationed in the GDR’s territory. On the other hand, Genscher claimed that it was unnecessary and that the issue of the Soviet military being stationed could be resolved without extending the Rights of the Four Powers.⁽³⁰⁾

In the discussion between the two (with interpreters in attendance), Genscher opposed “putting a burden on German reunification by reserving the issue” and “hurting German feelings of dignity” and claimed that “maintaining the Rights and Responsibilities of the Four Powers during the transition period would mean such reservations.” In response to this remark, Shevardnadze suggested that “setting a specific upper limit” on the military force of reunified Germany was important in resolving the Rights of the Four Powers.⁽³¹⁾

“As an overall impression of the meeting,” Kastrup interpreted that Moscow no longer opposed Germany’s accession to NATO in principle and that Moscow “sought a solution to resolve issues in terms of internal affairs.” In addition, Kastrup noted that when Genscher said at the press conference after the meeting, “Reunified Germany must have full sovereignty,” Shevardnadze did not argue against it.⁽³²⁾

Münster, June 18

Genscher looked for a symbolic city that were equal to Brest as the candidate for the venue for the next German–Soviet foreign ministers meeting. When a Foreign Office official in charge of ceremonies suggested a luxury hotel in the Rhine region, Genscher got angry and

(30) Ibid., p. 182 f. and 185 f.

(31) Aufzeichnung des Dolmetschers Scheel vom 13. Juni 1990 über das zweite Vier-Augen-Gespräch von Bundesminister Genscher mit dem sowjetischen Außenminister Ševardnadze am 11. Juni 1990 in Brest, in: *Diplomatie*, Dok. 36, pp. 189-194, here p. 189 and 191 f.

(32) Drahtbericht des Botschafters von Ploetz, Brüssel (NATO), 13. Juni 1990, in: *Die Einheit*, Dok. 112, pp. 556-563, here p. 557 and 562.

dismissed the suggestion. Genscher also turned down Aachen, which was famous for Charles the Great. It was Münster that Genscher chose after much deliberation. The message put in the city was clear. Münster was a city where the Peace of Westphalia was concluded in 1648 along with Osnabrück and it is thought that German feudal lords acquired sovereignty, including the right to alliance. That is, Münster was a city that symbolized "the right to freely choose an alliance" (Kiessler / Elbe 1993: 157 f.).

However, they avoided discussing "the issue of Germany's participation in an alliance, which remained as the most difficult issue," at this meeting.⁽³³⁾ It was the transformation of both alliances, the transformation of alliance relations and a new plan for pan-European security that were discussed intensively. In addition, in Münster as well, Genscher claimed that "the core of the final stipulation of the German question was to resolve the Rights and Responsibilities of the Four Powers" and afresh called for "comprehensively resolving the Rights and Responsibilities of the Four Powers without a transition period." In response to this request, Shevardnadze stood firm, but suggested that "it was possible to make a compromise."⁽³⁴⁾

In fact, Shevardnadze's focus on the "transition period" had already become a mere formality or an official appeal. At noon on that day, Sergei Tarasenko, an adviser to Shevardnadze, called German Foreign Minister Genscher's right-hand man Frank Elbe and showed him a memorandum issued by the Soviet Foreign Ministry. The memorandum did not say that the Rights and Responsibilities of the Four Powers would be renounced after the transition period expired. When Elbe asked about it, Tarasenko said, "You don't need to worry. Things will go as this paper says" (Kiessler / Elbe 1993: 159).

(33) Vermerk des Dg 21, Höynck, vom 19. Juni 1990 über das Gespräch von Bundesminister Genscher mit dem sowjetischen Außenminister Ševardnadze am 18. Juni 1990 in Münster, in: *Diplomatie*, Dok. 37, pp. 194-211, here p. 196.

(34) *Ibid.*, p. 204.

In a statement to the press, Shevardnadze himself expressed his readiness to make a compromise, saying, “If NATO makes a serious declaration in its summit in London just as the Warsaw Treaty Organization had made in Moscow, we will be able to deliberate on issues over Germany’s status in military policy in a new atmosphere and under new conditions. We will be able to make remarkable progress (ibid.: 158).”

After all, the series of talks between Genscher and Shevardnadze made it clear that what was important in the Soviet’s agreeing on reunified Germany’s accession to NATO was the transformation of NATO and setting the upper limit on the German military power.⁽³⁵⁾

Subsequently, at the second Two Plus Four Foreign Ministers Meeting in East Berlin on June 22, Shevardnadze read out “the Basic Principle for Final International Law Stipulation with Germany,” which took a hard line enough to nullify previous discussions,⁽³⁶⁾ and “threw cold water on Western countries.” This was a desperate measure to Shevardnadze, who had to consider internal affairs prior to the Communist Party Convention. When Baker handed him a note asking what it meant, Genscher, who understood that well, was able to answer calmly, “He is just making things look good (Genscher 1995: 824 f.).”

The final phase

London, July 6

The London Declaration was announced at the NATO summit on July 6, 1990.⁽³⁷⁾ The Declaration proposed to the member states of the Warsaw

(35) I referred to the following analysis by the Embassy in Moscow. Fernschreiben der deutschen Botschaft aus Moskau an Referat 210 des Auswärtigen Amtes vom 20. 06. 1990 über die sowjetische Reaktionen auf AM-Treffen in Münster, in: PA AA, ZA 140.728 E.

(36) Grundprinzipien für eine abschließende völkerrechtliche Regelung mit Deutschland, in: *DzD-DE*, Dok. 325C, pp. 1252-1256.

(37) Londoner Erklärung der Gipfelkonferenz der Staats- und Regierungschefs der NATO-Mitgliedstaaten am 5. und 6. Juli 1990, in: *DV*, Dok. 43, pp. 241-246.

Treaty Organization "a joint declaration in which we solemnly state that we are no longer adversaries and reaffirm our intention to refrain from the threat or use of force against the territorial integrity or political independence of any state." The London Declaration, which includes many proposals, emphasized the defensive nature of NATO, expressed the intention of promoting disarmament for building a pan-European security structure and preparing for CSCE institutions, stopped regarding the Soviet Union and the signatories to the Warsaw Pact as enemies and regarding them as partners.

In the Soviet Union, the 28th Communist Party Congress was held from July 2 to 13 and it also depended on the congress whether the Gorbachev regime would continue or not. The news on the NATO London Declaration enabled Shevardnadze to convince the people that NATO and reunified Germany were no longer threats. Gorbachev's getting through the Soviet Communist Party Congress laid the groundwork for settling the issue of reunified Germany's accession to NATO.⁽³⁸⁾

Moscow, July 15

The issue of reunified Germany's "acquiring full sovereignty" was settled by the German-Soviet talks on July 15 and 16. At the German-Soviet talks in Moscow on July 15, Kohl noted as "three hurdles we have to clear" (1) the future of the Soviet military to be stationed in Germany, (2) the issue of reunified Germany's accession to NATO and (3) the number of German troops in the future. Kohl thought that the end of the Two Plus Four negotiations and Germany's acquiring full sovereignty would depend on these hurdles.⁽³⁹⁾

Gorbachev said, "The current political context is fundamentally

(38) Cf. Zweites Gespräch Gorbačevs mit Bundeskanzler Kohl am 15. Juli 1990, in: *MGdF-SD*, Dok. 103, pp. 467-469, here p. 467.

(39) Gespräch Gorbačevs mit Bundeskanzler Kohl am 15. Juli 1990, in: *MGdF-SD*, Dok. 102, pp. 458-467, here p. 461. This paper uses the Soviet side's records of talks, but the German side's records are *DzD-DE*, Dok. 350, pp. 1340-1348.

different from a few months ago,” and evaluated, “In London, we took such a great step forward that we could break off the chains of the past.” Gorbachev first confirmed that “the new Germany would consist of the Federal Republic of Germany (FRG), the German Democratic Republic (GDR), and Berlin,” that “they would not demand that the borders be changed” and that “Germany would give up atomic, biological and chemical weapons.” These were no problem to Kohl.⁽⁴⁰⁾

Next, Gorbachev said, “We must discuss not expanding NATO’s military organization to the GDR territory, the Soviet military’s being stationed during a certain transition period and the resolving the victors’ status to Berlin.” When Kohl asked, “You mean Germany’s full sovereignty, don’t you?,” Gorbachev said, “Yes.”

As “two serious subjects,” Gorbachev noted “the issue of Germany’s accession to NATO” and “the issue of resolving the Rights and Responsibilities of the Four Powers at the same time as the establishment of reunified Germany.” Regarding the latter, Gorbachev claimed that the Two Plus Four Treaty was unrealistic because it requires ratifications by six countries and proposed that points about resolving the Rights and Responsibilities of the Four Powers be included in the Two Plus Four Treaty and that a new treaty should be concluded on stationing Soviet troops for three to four years separately. Kohl agreed on stationing Soviet troops for three to four years and reminded Gorbachev, “In any case, our interest is in resolving the Rights and Responsibilities of the Four Powers and Germany’s acquiring full sovereignty.”

In addition, Kohl also confirmed that “Germany as a whole would join NATO” and insisted that “the GDR territory should be absorbed into NATO territory only when Soviet troops withdraw.” Gorbachev answered, “Reunified Germany is part of NATO. As long as the Soviet military is virtually stationed, the GDR territory is not covered by NATO. In this context, reunified Germany’s sovereignty is undeniable.

(40) *MGdF-SD*, pp. 462-464.

Negotiations about the withdrawal of soviet troops will start after the transition period.”⁽⁴¹⁾

The last stretch of negotiations was carried over to the discussions in Caucasus. Gorbachev said, “A clear mountain air will make many things clearer.”⁽⁴²⁾

Caucasus, July 16

On July 16, a meeting was held at Gorbachev's dacha in Caucasus. Kohl, Genscher, Finance Minister Theo Waigel and so on from the West German side and Gorbachev, Shevardnadze and so on from the Soviet side participated.

Kohl mentioned the Two Plus Four negotiations, said, “The most fundamental goal that must be reached is that reunified Germany will acquire unrestricted full sovereignty” and said that several points concerning that needed to be examined. Genscher also said that “the most important result of the Two Plus Four negotiations was that Germany would acquire full sovereignty without any reserved issue left.”⁽⁴³⁾

In addition, Genscher confirmed anew that “reunified Germany would have the right to choose an alliance according to the Helsinki Final Act” and said, “As you know, we support reunified Germany joining NATO.” Now that he understood the importance of the right to choose an alliance, Kohl also added, “Political sovereignty means that Germany decides which alliance it wants to be part of.”⁽⁴⁴⁾

The issue was the status of the Soviet military that would be stationed in the former GDR's territory after German reunification. Genscher said, “You must not create the impression that German would become

(41) Ibid., p. 464 f.

(42) Ibid., p. 467.

(43) Gespräch Gorbačevs mit Bundeskanzler Kohl am 16. Juli 1990, in: *MGdF-SD*, Dok. 104, pp. 470-488, here p. 472. I referred to *DzD-DE*, Dok. 353, pp. 1355-1367 for the German side's records.

(44) *MGdF-SD*, p. 473.

sovereign only after the Soviet troops retreats. Germany with its sovereignty agrees not to expand NATO's organization eastward." In addition, Genscher insisted, "If Germany is sovereign, Article 5 and Article 6 of the NATO Treaty must cover all its territory [that is, the former GDR's territory]." ⁽⁴⁵⁾

After several frank conversations, Kohl and Gorbachev agreed on the following points. Reunified Germany will acquire unrestricted full sovereignty and become a member of NATO. Article 5 and Article 6 of the NATO Treaty will be applied to the whole of Germany. Even while the Soviet military is stationed in the former GDR's territory, the Bundeswehr (the Federal Defense Forces of Germany) that is not integrated into NATO can be deployed. After the Soviet military withdraws from the former GDR's territory, Germany can deploy the Bundeswehr that is integrated into NATO by its full sovereignty. However, even after the Soviet military retreats, nuclear weapons will not be deployed in the former GDR's territory and foreign military will not be deployed. ⁽⁴⁶⁾

The period when the Soviet military would be stationed in the former GDR's territory would be three or four years and Germany's burden of costs for withdrawing Soviet troops was an important issue. In addition, the upper limit of the German military was set at 370,000. This point was announced by Genscher during the negotiations about reducing conventional armed forces in Europe, which was held in Vienna on August 30, 1990, and the statement was cited in Section 2 of Article 3 of the Two Plus Four Agreement.

At a joint press conference after talks, Kohl could proclaim these achievements proudly. ⁽⁴⁷⁾

(45) Ibid., p. 476 f.

(46) Ibid., p. 478 f.

(47) Gemeinsame Pressekonferenz von Gorbačev und Bundeskanzler Kohl am 16. Juli 1990, in: *MGdF-SD*, Dok. 105, pp. 488-503, here p. 489 f.

Conclusion

Afterward, the Two Plus Four Treaty with the results of talks between Germany and the Soviet Union included in it was signed on February 12, 1990. Side by side with this, Germany and the Soviet concluded the Treaty on Good Neighborliness, Friendship and Cooperation, the Treaty on the Development of Comprehensive Cooperative Relationships in Economy, Industry, Science and Technology, the Treaty on Some Transitional Measures and the Treaty on the Conditions for Limited-Term Stationing of Soviet Troops and the System of Planned Withdrawal. These were treaties necessary for reunified Germany's acquiring sovereignty and accession to NATO.

On March 15, 1991 when the Two Plus Four Treaty went into force, Germany, which had already been reunified, acquired "full sovereignty."

As noted above, reunified Germany's acquiring "full sovereignty" was associated with the issue of Germany's accession to an alliance and the solution of the latter was necessary to achieve the former. The solution needed three steps—the US–Soviet summit in Washington on May 31, 1990, the NATO London Declaration on July 6 and the German–Soviet summit on July 15 and 16.

However, these three did not happen suddenly and dramatically. As noted above, it was Foreign Minister Genscher and the West German Foreign Ministry's meticulous diplomacy that prepared for them. It was Genscher that mentioned the Helsinki Final Act's stipulation, which worked as leverage for getting the Soviet Union to approve Germany's right to choose an alliance. The NATO London Declaration was based on a message from Turnberry prepared by the West German Foreign Ministry. In addition, Genscher's repeated efforts to build confidence with the Soviet (Shevardnadze in particular) were essential to the breakthrough in Caucasus on July 16. In this sense, Genscher diplomacy should be reviewed in terms of reunified Germany's acquiring sovereignty.

Lastly, I would like to point out that the "sovereignty" reunified Germany acquired at the time was not "unrestricted full sovereignty" in a

true sense of the word. As noted above, for example, giving up the development and possession of ABC weapons and setting the upper limit on military troops were restrictions on acquiring “full sovereignty.” More than anything else, Germany was to be further involved in European integration in the process to its reunification. In fact, both Kohl and Genscher aimed to acquire “full sovereignty,” while actively pushing for European integration. I will discuss in another paper what relationship this “sovereignty” and “integration” had.

Primary sources with abbreviations

Die Einheit = Die Einheit. Das Auswärtige Amt, das DDR-Außenministerium und der Zwei-plus-Vier-Prozess, hg. im Auftrag des Instituts für Zeitgeschichte München - Berlin von Horst Möller / Ilse Dorothee Pautsch / Gregor Schöllgen / Hermann Wentker / Andreas Wirsching, bearb. von Heike Amos / Tim Geiger, Göttingen: Vandenhoeck & Ruprecht, 2015.

Diplomatie = Diplomatie für die deutsche Einheit. Dokumente des Auswärtigen Amtes zu den deutsch-sowjetischen Beziehungen 1989/90, hg. von Andreas Hilger, München: Oldenbourg, 2011.

DV = Karl Kaiser, Deutschlands Vereinigung. Die internationalen Aspekte. Mit den wichtigen Dokumenten, bearb. von Klaus Becher, Bergisch Gladbach: Bastei-Lübbe, 1991.

DzD-DE = Dokumente zur Deutschlandpolitik. Deutsche Einheit. Sonderedition aus den Akten des Bundeskanzleramtes 1989/90, bearb. von Hanns Jürgen Küsters / Daniel Hofmann, München: R. Oldenbourg, 1998.

GBPL = George H.W. Bush Presidential Library and Museum, memcons and telcons (online).

MGdF-SD = Aleksandr Galkin / Anatolij Tschernjajew (Hg.), Michail Gorbatschow und die deutsche Frage: Sowjetische Dokumente 1986-1991, Deutsche Ausgabe hg. von Helmut Altrichter / Horst Möller / Jürgen Zarusky; Kommentiert von Andreas Hilger; Aus dem Russ. übertragen von Joachim Glaubitz, München: Oldenbourg, 2011.

PA AA = Politisches Archiv des Auswärtigen Amtes, Berlin.

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